31st March 1958]

APPENDIX V.

[Vide item IV (2) page 313 supra.]

REPORT OF THE COMMITTEE OF PRIVILEGES ON THE QUESTION OF THE DEFINITION OF "PRECINCTS OF THE HOUSE".

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

I, the Chairman of the Committee of Privileges, present this report on the question of the construction that should be put on the expression 'Precincts of the House' with-reference to the Legislative Assembly in the Fort St. George.

2. This question was referred to the Committee of Privileges on the 15th February 1958 by the Hon. Speaker, under rule 187 of the Madras Assembly Rules (vide Annexure I).

3. The Committee met at 2–30 p.m. on Tuesday, the 25th March 1958, and arrived at the following decision after due consideration with reference to the definition approved by the Assembly in August 1956 in relation to the Assembly Chamber, Government Estate, Mount Road :—

(1) In the case of Members of the Legislative Assembly, 'Precincts of the House' shall mean—

"(i) the entire Secretariat Buildings in the Fort St. George including the Assembly Chamber, and the rooms in which the associated offices are situated the Ministers' rooms, the Library, the Canteen and the Lounge rooms, (ii) the Committee room in the Old Legislators' Hostel and (iii) the Library in the Government Etate, Mount Road, and such other places or buildings as might be named by the Speaker from time to time together with the verandas and steps to these buildings and the pathways leading from the Assembly Chamber to the other aforesaid buildings and shall be applicable only while the Assembly or any of its Committees or Sub-Committees sits and one hour before and after such a sitting."

(2) In the case of strangers 'Precincts of the House' shall mean the Assembly Chamber with galleries, its verandas and steps and shall be applicable only to those to whom tickets have been issued by the office for admission to the galleries.

(3) In the case of persons summoned by a Committee of the House for any purpose whatsoever, they shall be deemed to be within the 'precincts of the House' so long as they are within the Committee Room, its verandas and its steps.

4. The Committee recommends to the House that the above may be approved.

FORT ST. GEORGE,
MADRAS-9.
28th March 1958.

K. RAMACHANDRAN,
Chairman.

[31st March 1958

ANNEXURE I.

Extract of the proceedings of the Assembly.

ANNOUNCEMENT MADE BY THE HON. THE SPEAKER ON THE 15TH FEBRUARY 1958.

I desire to refer an important matter to the Committee of Privileges under rule 187 of the Assembly Rules. Any service of legal process or the execution of legal process within the precincts of the Legislative Assembly when the House is sitting or a Committee of the House is sitting would be a Breach of Privilege. What the precincts are should be defined. During the first Legislative Assembly, i.e., 1952 to 1957, this matter was referred to the Privileges Committee.

The Committee's report was approved by the Assembly on the 20th December 1956. But since April 1957, the Assembly is holding its sessions in the Legislative Assembly Chamber at Fort St. George. Therefore, the precincts of the Assembly have to be determined with reference to this Chamber.

I now, therefore, refer this matter to the Committee of Privileges to report on the construction to be put on the expression ' Precincts of the House ' with reference to the Legislative Assembly here.

ANNEXURE II.

Note circulated to the Committee of Privileges.

DEFINITION OF THE TERM ' PRECINCTS OF THE HOUSE ' UNDER RULE 187OF THE MADRAS LEGISLATIVE ASSEMBLY RULES.

Any service of legal pocess or the execution of legal process within the precincts of the Legislative Assembly when the House is sitting or a Committee of the House is sitting would be a Breach of Privilege. What the precincts are should be defined. During the first Legislative Assembly, i.e., 1952 to 1957, this matter was referred to the Privileges Committee.

From the relies received in regard to pratice obtaining in other countries, the Committee noted that the precincts include not only the Chamber where the meeting takes place, but also the rooms where the associated offices and facilities are all located. Further if is seen that all the associated offices and facilities are all located in one and the same building. The associated offices that are located in the Westminister Palace in England or the Parliament House in Canberra or the Parliament House in Ottava or the Committee Room, Speaker's Chamber, Office of the Clerk of the House of the Office of the Secretariats.

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The Committee, after due consideration, arrived at the following decisions :—

(1) ' Precincts of the House ' shall mean and include the entire Assembly buildings, the Ministers' rooms, the Library, the Canteen and the Committee Room together with the verandas and steps to these buildings and the pathways leading from the Assembly Chamber to the other aforesaid buildings in respect of members and, as far as strangers are concerned, ' precincts ' means the Assembly Chamber Room, its verandas and steps.

(2) In so far as the persons summoned by a Committee of the House for any purpose whatsoever, they shall be deemed to be within the precincts of the House so long as they are within the Committee Room, its verandas and its steps.

The Committee's report was approved by the Assembly on the 20th December 1956. But since April 1957, the Assembly is holding its Sessions in the Legislative Assembly Chamber at Fort St. George. Therefore, the precincts of the Assembly have to be determined with reference to this Chamber.

